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**(PTO ASSISTANCE)**

Application : 09/497694 Examiner : Leung GAU : 2633

From : PAP Location : IDC FMF FDC Date : 12/7/05

Tracking # : EPM 09/497694 Week Date : 8/15/05

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<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
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<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input checked="" type="checkbox"/> OATH	<u>missing</u>	
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE: Oath declaration missing from file - not found in OATH of 6/5/00 Please Advise.

Thank you

[XRUSH] RESPONSE: \_\_\_\_\_

See misc comm

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INITIALS: [Signature]

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04

**BAKER BOTTS LLP**

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WASHINGTONFROM Karen Langford, Senior Paralegal - U.S. Patents  
DATE January 3, 2006  
PAGES 4VOICE NO. 214.953.6688  
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U.S. Patent and Trademark OfficeFAX NO. 703-746-6830 or  
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## MESSAGE

**SPECIAL PROCESSING SUBMISSION**In re Application of: Pierluigi Franco et al.  
Serial No.: 09/497,694  
Filed: February 3, 2000  
Group Art Unit: 2633  
Examiner: Christina Y. Leung  
Notice of Allowance Mailed: January 27, 2004  
Title: SYSTEM AND METHOD OF HIGH-SPEED TRANSMISSION AND  
APPROPRIATE TRANSMISSION APPARATUS

Attorney Docket No.: 062891.0986

This facsimile cover sheet is accompanied by a the Response to Notice to File Corrected Application Papers and the Declaration/Power of Attorney.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this cover sheet and the accompanying response with attachment are being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Signature: Karen Langford Date: January 3, 2006  
Karen Langford**Notice of Confidentiality***The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.**If you do not receive all pages, please call: 214.953.6740 for assistance.*BILLING NO. 065274.0144  
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ATTORNEY/EMPLOYEE NO. 03338

CRITICAL DEADLINE, SEND BY

ATTORNEY DOCKET NO.  
062891.0986

PATENT APPLICATION  
09/497,694

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pierluigi Franco et al.  
Serial No.: 09/497,694  
Filing Date: February 3, 2000  
Group No.: 2633  
Examiner: Christina Y. Leung  
Notice of Allowance Mailed: January 27, 2004  
Confirmation No.: 7808  
Title: SYSTEM AND METHOD OF HIGH-SPEED  
TRANSMISSION AND APPROPRIATE TRANSMISSION  
APPARATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO NOTICE TO FILE CORRECTED**  
**APPLICATION PAPERS**

This is in response to the Notice to File Corrected Application Papers mailed December 27, 2005. Applicants submit herewith the following:

1. A copy of the Notice To File Corrected Application Papers mailed December 27, 2005; and
2. A copy of the Declaration/Power of Attorney that was missing from the application.

**BEST AVAILABLE COPY**

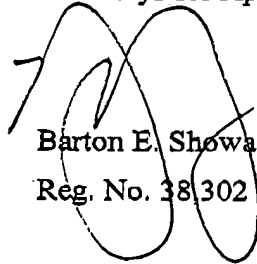
ATTORNEY DOCKET NO.  
062891.0986

PATENT APPLICATION  
09/497,694

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The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants



Barton E. Showalter  
Reg. No. 38,302

Date: \_\_\_\_\_

Jan 3, 2006

CORRESPONDENCE ADDRESS:

Customer Number: 05073

Attorney Docket No.: 05788.0122

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SYSTEM AND METHOD OF HIGH-SPEED TRANSMISSION AND APPROPRIATE TRANSMISSION APPARATUS

the specification of which:

is attached hereto; or

was filed as United States Application Serial No. \_\_\_\_\_  
on February 3, 2000, and was amended on February 3, 2000  
(if applicable); or

was filed as PCT International Application Number \_\_\_\_\_  
on \_\_\_\_\_ and was amended on \_\_\_\_\_  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s), designating at least one country other than the United States, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
Europe	97113436.6	August 4, 1997	X YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing
60/054,945	August 7, 1997

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

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PC 722

Attorney Docket No.: 05788.0122

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)
PCT/EP98/04782	July 31, 1998	Pending


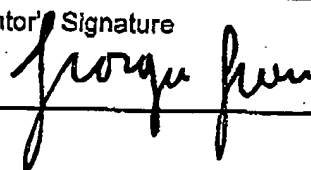
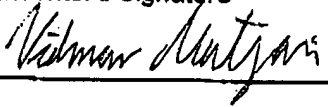
I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, Reg. No. 22,540; Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heffer, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 26,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; and Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; James B. Monroe, Reg. No. 33,971; and

Please address all correspondence to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.**, 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

TC-122

Attorney Docket No.: 05788.0122

Full Name of First Inventor Pierluigi FRANCO	Inventor's Signature 	Date April 6 2000
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Full Name of Third Inventor Matjaz VIDMAR	Inventor's Signature 	Date April 6 2000
Residence Nova Gorica, Slovenia		Country of Citizenship Slovenia
Post Office Address S. Masere 21, 65000 Nova Gorica, Slovenia		
Full Name of Fourth Inventor	Inventor's Signature	Date
Residence		Country of Citizenship
Post Office Address		



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/497,694	02/03/2000	Pierluigi Franco	05988-0132	7808
5073	7590	12/27/2005	<p><b>062891-0986</b></p> <p>EXAMINER</p> <p>LEUNG, CHRISTINA Y</p>	
<p>BAKER BOTTS L.L.P.            2001 ROSS AVENUE            SUITE 600            DALLAS, TX 75201-2980</p>			ART UNIT	PAPER NUMBER
			2633	

*Response Due:*  
*January 26, 2006*

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Docket ☒ Wrapper ☒RVF Docketed ☐References(s) ☐



**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Serial Number  
09497694

Date Mailed  
12/27/05

**NOTICE TO FILE CORRECTED APPLICATION PAPERS*****Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ Oath/declaration/ADS is missing from the application. Fax missing information to number below or e-mail.
  - For status updates visit <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

**APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.**

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450  
Alexandria, VA 22313-1450

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